

By: Wong

H.B. No. 3149

A BILL TO BE ENTITLED

AN ACT

1
2 relating to providing for an inactive license status for a
3 cosmetology licensee.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Title 9, Chapter 1602 of the Occupations Code is
6 amended by adding Section 1602.353 to read as follows:

7 Sec. 1602.353. INACTIVE LICENSE STATUS. (a) A cosmetology
8 or cosmetology related licensee may request inactive status prior
9 to the expiration date of a current license, but not later than the
10 10th day prior to the expiration date, by submitting such request on
11 a form provided by the commission. Licensee shall also submit
12 payment of the required biennial fee for inactive status.

13 (b) A licensee shall not be required to complete continuing
14 education requirements while under inactive license status.

15 (c) Inactive license status shall be renewed biennially.

16 (d) A person with inactive license status for the practice
17 of cosmetology or as an instructor shall not perform, or attempt to
18 perform, a practice of cosmetology. A person with inactive license
19 status for the practice of cosmetology or as an instructor shall not
20 teach, or attempt to teach, for a private beauty school or a
21 vocational cosmetology program in a public school.

22 (e) A person holding a beauty shop license or specialty shop
23 License may not employ a person who acts as an operator or
24 specialist if the person holds inactive license status.

1 (f) A person holding a school license who is in charge of a
2 vocational cosmetology program in a public school may not employ a
3 person who maintains an inactive license status as an instructor.

4 (g) A person with inactive license status may return to
5 active license status for the practice of cosmetology or any
6 cosmetology related activity if the person provides the following:

7 (1) Application for reinstatement of active license as
8 required by the commission.

9 (2) Payment of active license fee at the time of
10 application for reinstatement of active license.

11 (3) Documentation reflecting that the person has met
12 all continuing education requirements for the current biennial
13 renewal period.

14 SECTION 2. This Act takes effect September 1, 2005.